

KING & SPALDING

October 17, 2022

VIA ECF

The Honorable Lorna G. Schofield
United States District Court
Southern District of New York
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Re: *Manbro Energy Corp. v. Chatterjee Advisors, LLC*, No. 20 Civ. 3773 (LGS) (S.D.N.Y.)

Dear Judge Schofield:

We write respectfully from King & Spalding LLP as Defendants' just-retained counsel for trial in this action, currently scheduled to begin on January 9, 2023 or the Court's first available date thereafter. *See* Dkt. No. 219 ("Scheduling Order"). I respectfully request a three-month adjournment of this trial start date and the final pretrial conference currently scheduled for December 19, 2022, and by a similar amount of time extensions of the current deadlines for filings in anticipation of trial. *See id.* These are Defendants' first requests for extensions and adjournments of the dates in the Scheduling Order. Plaintiff has consented to a one-month extension of the trial date, subject to the Court's schedule, and of associated pretrial deadlines.

Defendants request the above-described extensions and adjournments because of a very recent change in representation. I joined King & Spalding just two weeks ago, and Defendants advised King & Spalding on October 13 that my new Firm is being retained as trial counsel. The core team that had managed this case is now divided among three law firms, so we here at King & Spalding will now have to rebuild some of that core team. The entire case record for this matter (including all work product, client files, and correspondence) currently remains at my prior law firm, Gibson, Dunn & Crutcher LLP. Given that motions *in limine* are due on October 31, 2022, *see* Scheduling Order, an extension of looming pretrial deadlines would be especially important. My team and I will need the requested time to transition the voluminous case record from Gibson Dunn, and rebuild the infrastructure for this case at King & Spalding. We also learned today of availability issues the week of January 9 for Defendants' principal expert. Defendants therefore seek the Court's approval for adjournments of the trial start date and final pretrial conference by three months, and analogous deadline extensions for the filings in anticipation of trial ordered by the Court. *See* Scheduling Order.

We thank the Court for its consideration of these requests.

Respectfully,
/s/ Mark A. Kirsch
Mark A. Kirsch

Cc: Counsel of Record (by ECF)